

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04-CR-10384-PBS

UNITED STATES

v.

DANIEL KAMEN,
Defendant

**DEFENDANT'S POST-VERDICT MOTION
FOR JUDGMENT OF ACQUITTAL AND
MOTION FOR NEW TRIAL AND
MOTION FOR LEAVE TO SUBMIT SUPPORTING
MEMORANDUM BY DECEMBER 11, 2006**

Pursuant to Rules 29(c) and 33 of the Federal Rules of Criminal Procedure, the defendant Daniel Kamen moves that the Court enter a judgment of acquittal, on the grounds that the government failed to adduce sufficient evidence to establish beyond a reasonable doubt that, at the time he received the video tapes, he knew that the video tapes contained visual depictions of actual minors engaged in sexually explicit conduct. In the alternative, the defendant moves that the Court reduce the verdict to the lesser included offense of possession of child pornography, in violation of 18 U.S.C. § 2252(a)(4). In the alternative, the defendant moves that the Court grant him a new trial on the grounds that the interest of justice so requires. The defendant further moves that the Court grant leave to submit a supporting memorandum by December 11, 2006.

Respectfully submitted,
DANIEL KAMEN
By his attorneys,

/s/ Charles W. Rankin

Charles W. Rankin, BBO #411780
Michelle Menken, BBO#644537
Rankin & Sultan
151 Merrimac Street
Boston, MA 02114
617-720-0011

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 9, 2006.

/s/ Charles W. Rankin

Charles W. Rankin